<u>Remarks</u>

Claims 1-31 are pending. Claims 3 and 23 are amended to more particularly point out and distinctly claim the Applicants' invention.

The Examiner rejected Claims 1-31 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,339,745 ("Novik") in view of U.S. Patent 5,983,161 ("Lemelson"). The Examiner states:

> Novik teaches the subject matter substantially as claimed including (1) at least one vehicle comprising a GPS receiver, a vehicle transceiver for transmitting GPS data and receiving transmissions from a base station and a vehicle computer system that provides mapping and tracking applications and (2) a base station comprising a transceiver that receives the GPS data from the at least one vehicle and transmits text and graphics to the at least one vehicle, and a base station computer that includes a database and provides mapping and tracking applications and may be connected to the internet. A plurality of vehicles can be tracked simultaneously. Thus, the base station obviously, if not inherently, receives and stores the locations of at least first and second mobile units. The system also is bi-directional in that the vehicle transmits location data to as well as receives information from the base station and the base station receives the location data as well as transmits information from its database to the vehicle.
>
> Novik differs from the claimed subject matter since he does not specify that the vehicle request location data from another vehicle.
>
> However, Novik does teach instructions for locating a vehicle closest to an event on a displayed map which would suggest to someone skilled in the art that the position of the event is required to be provided to the base station as well as the position of the various vehicles in proximity to the event. This leads to selection and notification of the closest vehicle so that the closest vehicle can reach the location of the event (e.g., a taxi ride). Thus, the base station receives information regarding the location of both the event (person requesting a taxi ride) and

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the proximate vehicles (taxis), selects the closest vehicle and notifies the selected vehicle of the position of the event. Additionally, Lemelson et al teach the conventionality in the art of vehicle monitoring and/or tracking, for a first vehicle to transmit its position to a base station which responsively communicates the positions of vehicles in the vicinity to the first vehicle so as to ascertain collision avoidance control. Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the tracking and monitoring system of Novik by incorporating vehicle transmission requests of proximate vehicles' locations so as to provide collision avoidance in view of the teachings of Lemelson et al. the dependent claims are shown and/or obvious design choices to the skilled in the art of the vehicle tracking/monitoring/collision avoidance.

Applicants respectfully submit that the Examiner is in error. Applicants' Claim 1 recites:

> transmitting a data package to said first mobile unit in response to a request for said first mobile unit, wherein said data package comprises said current location of said second mobile unit retrieved from said database.

(emphasis added)

The above-quoted limitations of Claim 1, which allows the requesting user obtain information of other users based on its own information (e.g., personal information), are neither disclosed nor suggested by Novik or Lemelson. Specifically, as the Examiner pointed out in his rejection, Novik does not teach one vehicle requesting location data of another vehicle. The Examiner's example of a user requesting a taxi is inapposite because, in that example, the location or information of the requesting party is provided to a second party, rather than the requesting party obtaining the location or information of a second party. Similarly, Lemelson teaches that a control center broadcasts the received information from one user indiscriminately to other vehicles in the vicinity:

> Each of the individual vehicles 2 computes its own precise location, velocity and the X-Y-Z acceleration vectors,

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which are then transmitted via radio control signal 8 to control center 12, which, in-turn, may broadcast that information to other vehicles in the vicinity of an individual vehicle, thereby enabling the computation of warning and control signals at each vehicle based on the received control vector information.

(Lemelson, at col. 18, lines 23-29)

Thus, neither the Novik system or the Lemelson system discloses or suggests providing information of others to a requesting user. Accordingly, Applicants respectfully submit that Claim 1 and its dependent Claims 2-16 are each allowable over Novik and Lemelson, individually and in any combination. Similarly, Claims 20-22 and Claims 23-31, each reciting a method or system in which one mobile user can request the location of a second mobile user based on its own information, are each allowable over Novik and Lemelson. Reconsideration and allowance of Claims 1-31 are therefore requested.

For the above reasons, all pending claims (i.e., Claims 1-31) are allowable over the art of record. If the Examiner has any question regarding the above, the Examiner is respectfully requested to telephone the undersigned Attorney for Applicant at 408-392-9250.
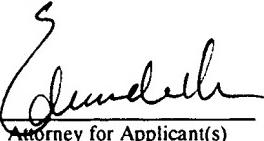
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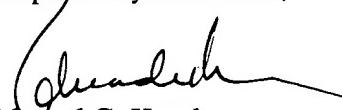
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Appendix

Please amend Claims 3 and 23 as follows:

3.   (Amended) The method of claim 1, said <u>first</u> packet further providing at least one of:

personal information about a first user, said first user being a user of said first mobile unit;

an announcement; and

a request for information concerning the current location of said second mobile unit.

23.   (Amended) A system [of accessing current location of a second mobile unit from a first mobile unit], comprising:

a first mobile unit and <u>a</u> second mobile unit connected to a data network; and

a processing station <u>connected to said data network and receiving current locations over said data network from said first and second mobile unit, the processing station being</u> connected to a database [containing the] <u>storing said</u> current locations of said first and second mobile units[, said processing station also connected to said data network] <u>and, upon request from the first mobile unit, providing the first mobile unit the stored current location of the second mobile unit.</u>

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